

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH VOLFMAN,

Plaintiff,

-against-

M & Y CATERING INC d/b/a KIMURA and
SIMARIO LLC.

Defendants.
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1:24-cv-06796 (ALC)

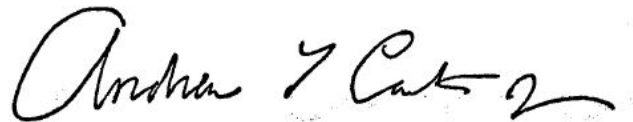
ORDER

ANDREW L. CARTER, JR., United States District Judge:

Plaintiff filed the Complaint in this matter on September 09, 2024. ECF No. 1. As of December 16, 2024, the Court has not received notice that the Complaint has been served on Defendants. Under Fed. R. Civ. P. 4(m), Plaintiff had ninety days to perfect service on Defendants. Accordingly, Plaintiff should have served the Complaint by December 8, 2024. In the event of failure to serve by the statutory deadline, 4(m) provides that the Court, “upon motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Plaintiff is **ORDERED** to serve Defendants by **December 23, 2024** or advise the Court in a letter by that date as to why it is unable to serve the Complaint.

SO ORDERED.

Dated: December 16, 2024
New York, New York



ANDREW L. CARTER, JR.
United States District Judge